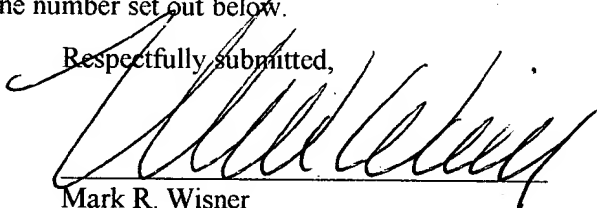


these §102 rejections, there can be no doubt that the cited references are "complex." Further, no attempt was made in the office Action to comply with the requirements of 37 C.F.R. 1.106(b) by pointing out "the particular part [of these references that was] relied upon" in making these rejections. The citation in the Action to nine pages of the Inouye, *et al.*" European patent application and six pages of the Miyata, *et al.* U.S. patent, for instance, is no substitute for a rejection that follows the formula of "element A recited in Applicant's claim 7 is disclosed at col. X, line Y of Inouye, *et al.*"

In short, it is Applicant's contention that, because the Office bears the burden of establishing that Applicant is not entitled to a patent (§102 of the Statute states that "a person **shall** [emphasis added] be entitled to a patent unless" the Office can establish that the application does not meet the requirements of the Statute), that burden was not met by citing three complex references in the manner set out in the Action. Applicant therefore respectfully traverses this rejection and, if the rejection is renewed in a subsequent Action, respectfully requests that Applicant be given the opportunity to respond to this rejection, before the rejection is made final, so as to fully develop the issues in the application. MPEP §706.07.

Consideration of the remarks set out herein, reconsideration and withdrawal of the rejection, allowance of the claims, and passage of the application to issuance are respectfully requested. In the event there are questions, it is respectfully requested that Applicant's counsel be contacted at the address and telephone number set out below.

Respectfully submitted,



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